

IN THE UNITED STATES DISTRICT COURT  
FOR NEBRASKA

TONIA ACKERMAN and DENNIS ACKERMAN,  Plaintiffs,  v.  U-PARK, INC.,  Defendant.	CASE NO. 8:17-CV-209  <b>PLAINTIFFS' RESISTANCE TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT</b>  <b>(Oral Argument Requested)</b>
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COME NOW Plaintiffs, Tonia Ackerman and Dennis Ackerman, by and through their undersigned counsel, and pursuant to Federal Rule of Civil Procedure 56, and move in resistance to Defendant's Motion for Summary Judgment. Material disputed facts exist. As such, the Court should deny Defendant's Motion for Summary Judgment. In support, Plaintiffs' offer (1) a Memorandum of Authorities, (2) a Response to Defendant's Statement of Undisputed Material Facts, (3) Plaintiff's Statement of Additional Undisputed Material Facts, and (4) the required Affidavit.

Plaintiffs request oral argument and believe 15 minutes a side will be sufficient time. Oral argument is necessary due to the voluminous record and relevant legal contentions as to premises liability.

Respectfully submitted,

**Certificate of Service**

The undersigned certifies that the foregoing instrument was served upon the parties to this action by serving a copy upon each of the attorneys listed as receiving notice on January 18, 2019, by E-mail

/s/ Sara Pottebaum

Copy to:

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